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THE STATE INTELLECTUAL PROPERTY OFFICE OF CHINA

Zip code: 100088 Beijing Sanyou Intellectual Property Agency Ltd. Hui Li	Date of Issue: March 19, 2004
Filing No.: 021186189	
Applicant: Tsunefumi Takahashi	
Title of Invention: LEGAL REASONING ANALYSIS METHODOLOGY AND DEVICE	

FIRST NOTIFICATION OF OFFICE ACTION

1. ☒ Upon the Request for Substantive Examination, the examiner has made the examination on the above cited patent application in accordance with the provision in paragraph 1, Article 35 of the PRC Patent Law.
   ☐ The SIPO uses its own discretion to make a substantive examination for the above cited patent application in accordance the provision in paragraph 2, Article 35 of the Chinese Patent Law.

2. ☒ The applicant designated the filing date of
   May 7, 2001 in the Patent Office of JP as the priority date;
   _____ in the Patent Office of _____ as the priority date;
   _____ in the Patent Office of _____ as the priority date;
   _____ in the Patent Office of _____ as the priority date;
   _____ in the Patent Office of _____ as the priority date;
   ☒ the certified copy of Priority Document(s) has (have) been submitted.
   ☐ no certified copy of priority document has been submitted heretofore and, according to the provision of Article 30 of the PRC Patent Law, it is deemed that no priority right has been requested.

3. ☐ The applicant submitted the amended text on _____and_____, in which
   the _____ submitted on _____ does not comply with the provision of Rule 51 of the Implementing Regulations of the Chinese Patent Law.
   the _____ submitted on _____ does not comply with the provision of Article 33 of the PRC Patent Law;;

4. ☒ Examination is made based on the original filing documents.
   ☐ Examination is made based on the following documents:
   Description page(s) _____of the original filing documents submitted on the filing date
   Page(s) _____ on _____, pages _____ on _____
   Claims page(s) _____of original filing documents submitted on the filing date
   Page(s) _____ on _____, pages _____ on _____
   Drawings page(s) _____of original filing documents submitted on the filing date
   Page(s) _____on _____, pages _____ on _____
   Abstract ☐ submitted on the filing date ☐ submitted on _____
   Drawing of abstract ☐ submitted on the filing date ☐ submitted on _____

5. ☐ The notification is made without conducting the search for the patentability.
   ☒ The notification is made under the search for the patentablity.
   ☒ The following references have been cited in this notification (their serial numbers will be referred to in the following procedure):

Serial Number	Number or Title of Reference Material	Publication Date (or Filing Date of A Conflict Patent Application)
1	WO0122195A2	March 29, 2001
2		
3		
4		

6. The conclusion of the examination:

☐ In regard to the description:

- ☐ The subject matter of the present application is not accepted based on the Article 5 of the Chinese Patent Law.
- ☐ The description does not comply with the provision of para.3, Article 26 of Chinese Patent Law.
- ☐ The description does not comply with the provision of Article 33 of Chinese Patent Law.
- ☐ The presentation of the description does not comply with the provision of Rule 18 of the Implementing Regulations of the Chinese Patent Law.

☒ In regard to the Claims:

- ☐ Claims _____ can not be allowed owing to lack of novelty based on the provision of paragraph 2, Article 22 of Chinese Patent Law.
- ☒ Claims 11-12 can not be allowed owing to lack of inventiveness based on the provision of paragraph 3, Article 22 of Chinese Patent Law.
- ☐ Claims _____ cannot be allowed owing to lack of practical applicability based on the provision of paragraph 4, Article 22 of Chinese Patent Law.
- ☒ Claims 1-7, 13-14 can not be allowed because they fall in the scope of the unpatentable subject matters provided by Article 25 of the Chinese Patent Law..
- ☐ Claims _____ cannot be allowed because they are not in conformity with the provision of paragraph 4, Article 26 of Chinese Patent Law.
- ☐ Claims _____ cannot be allowed based on the provision of paragraph 1, Article 31 of Chinese Patent Law.
- ☐ Claims _____ can not be allowed because they claim an invention(s) that does not belong to the invention defined by the provision of paragraph 1, Rule 2 of the Implementing Regulations of the Chinese Patent Law.
- ☐ Claims _____ cannot be allowed based on the provision of paragraph 1, Rule 13 of the Implementing Regulations of the Chinese Patent Law.
- ☒ Claims 8-10 doesn't comply with Rule 20 of the Implementing Regulations.
- ☐ Claims _____ doesn't comply with Rule 21 of the Implementing Regulations.
- ☐ Claims _____ doesn't comply with Rule 22 of the Implementing Regulations.
- ☐ Claims _____ doesn't comply with Rule 23 of the Implementing Regulations.

The explanation of the conclusion is given in the attachment sheet in details

7. According to the above conclusion, the examiner holds that

- ☐ the applicant should amend the application documents based on the requirement specified in the Attachment Sheet.
- ☐ the applicant should state the reason on which the application can be accepted and amend the part that is indicated not to be in conformity with the requirement, otherwise the application will be rejected.
- ☒ No subject matter in the application is patentable, the said application will be rejected if the applicant does not make a statement or the statement is not convincing.

8. The applicant's attention is drawn to the fact that

(1) in accordance with the provision of Article 37 of the Chinese Patent Law, the applicant shall submit the observations within FOUR months from the date of receiving this notification. If the applicant, without any justified reason, fails to reply within the time limit, the application shall be deemed to have been withdrawn.

(2) the amendment that the applicant makes shall be in conformity with the provision of Article 33 of the Chinese Patent Law. The amended text shall be furnished in duplicate. The formality of the amendment should be in conformity with the relative provisions of the Guidebook for Examination.

(3) any response and/or amended specification must be furnished by mail or by hand to the Receiving Department of the Chinese Patent Office. Any documents that are not furnished to the Receiving Department do not have legal effect.

(4) the applicant and/or his attorney should not go to the PRC Patent Office to meet the examiner if no appointment is made.

9. The text of the notification embraces 4 page(s), along with the enclosures herein:

☒ 1 copy of the cited references are enclosed in pages of 30.

Your Ref.: P21857
Our Ref.: I02US03520
Pages: 4

TEXT OF THE FIRST OFFICE ACTION

As illustrated in the Description, the present application relates to legal reasoning analysis methodology and device. Upon examination, opinions are provided as follows.

1. Claim 1 claims a method for analyzing legal reasoning for determining a law, the method comprising presenting a legislative objective of the law via a computer network; determining an initial law corresponding to the legislative objective; presenting an initial image that does not fit in with the initial law via the computer network, potentially obstructing the legislative objective; and determining a second law by revising the initial law to remove the potential obstruction caused by the initial image that does not fit in with the initial law. The Description records a method for analyzing legal reasoning for deriving a final law; by determining the legislative objective, determining an initial law corresponding to the legislative objective, presenting an initial image potentially obstructing the legislative objective, and revising the initial law to remove the potential obstruction caused by the initial image, the method realizes the analysis and derivation of a final law. Although claim 1 mentions of presenting a legislative objective of the law and of presenting an initial image that potentially obstructs the legislative objective via a computer network, the transferring of information via a computer network pertains to common means frequently employed by those skilled in the art. The legal reasoning methodology described in claim 1 is, instead of a technical solution employing law of natural, in essence a piece of rule and method instructing people to meditate, recognize, judge and reason information to determine a law on the basis of transferring information via a computer network to determine the legislative objective and the initial image; with its contribution to the prior art being only its portion belonging to rules and methods for mental activities. Therefore, the legal reasoning methodology described in claim 1 can not be granted a patent right, as it belongs to rules and methods for mental activities against which no patent right can be granted as prescribed under the provisions of Article 25, paragraph 1, item (2) of the Chinese Patent Law.
2. Although the additional technical feature of claim 2 mentions of presenting the second law via the computer network, the transferring of information via the computer network pertains to common means frequently employed by those skilled in the art; and it is in essence a legal reasoning methodology presenting result of the reasoning via the computer network,

rather than a technical solution utilizing law of natural, with its contribution to the prior art being only its portion belonging to rules and methods for mental activities. For the same reasons mentioned above, claim 2 can be granted neither.

3. The additional technical feature of claim 3 further defines the presenting the image that does not fit in; except for 'the computer network being accessible by a plurality of participants', the rest of the features all make specific definitions to the process of determining the image that does not fit in; whereas the feature of 'the computer network being accessible by a plurality of participants' is a common means frequently employed by those skilled in the art; therefore, claim 3 is in essence a legal reasoning methodology further particularizing and analyzing the reasoning process, rather than a technical solution utilizing law of natural, with its contribution to the prior art being only its portion belonging to rules and methods for mental activities. For the same reasons mentioned above, claim 3 can not be granted.
4. The additional technical feature of claim 4 is a common means frequently employed by those skilled in the art, because of the same reasons as commented on claim 3 whereby no patent right can be granted to legal reasoning analysis methodology, this claim can neither be granted.
5. Claim 5 is a further particularization of the reasoning methodology recorded in claim 1, and it is in essence a legal reasoning methodology further particularizing and analyzing the reasoning process, rather than a technical solution utilizing law of natural, with its contribution to the prior art being only its portion belonging to rules and methods for mental activities. By the same token as mentioned above, claim 5 can neither be granted.
6. Claim 6 claims a method for creating a legal map depicting legal reasoning for determining a law; this method is in essence a legal reasoning methodology for determining a law and a representation of the reasoning methodology by a triangle unit. This method itself rests with the subjective thinking of human beings and artificial rules with a nature of being prescribed, and it does not adopt technical means or utilize law of natural, thereby not constituting a technical solution as prescribed under the Patent Law, and thus belonging to rules and methods for mental activities, against which no patent right can be granted under the provisions of Article 25, paragraph 1, item (2) of the Chinese Patent Law.
7. The additional technical feature of claim 7 is a further particularization of the legal map method describe in claim 6; it is in essence a method of legal map further particularizing the process. Because of the same reasons as commented on claim 6 whereby no patent right can be granted to the method of legal map, claim 7 can neither be granted.
8. Claim 8 claims a computer readable medium for storing a computer program that enables analysis of legal reasoning to derive a law relating to an objective; this claim pertains to product claims, in which definition

should be made by the structural features of the product. Yet this claim merely makes definition to the computer readable medium by the data structure recorded thereon, which brings unclarity to the protection scope of this claim, and thus breaching the provisions of Rule 20, paragraph 1 of the Implementing Regulations of the Chinese Patent Law.

9. Claims 9 and 10 make further definitions to the data structure recorded in the computer readable medium claimed in claim 8. Both of the two seek to protect a kind of computer readable medium, so they pertain to product claims, in which definition should be made by the structural features of the product. Yet these claims merely make definition to the computer readable medium by the data structure recorded thereon, which brings unclarity to the protection scopes of these claims, and thus breaching the provisions of Rule 20, paragraph 1 of the Implementing Regulations of the Chinese Patent Law.

10. Claim 11 claims a system for analyzing legal reasoning for determining a law. Reference 1 (D1 hereinafter) of the same technical field with the present invention discloses a system for managing connections between a client and a server, with its technical features being specifically disclosed as follows: the central processing unit of the system (indicated by referral sign 116 in D1) is connected to the server (indicated by referral sign 106 in D1), the server being accessible by a plurality of user terminals (indicated by referral sign 109 in D1) via a packet switched data network (indicated by referral sign 102 in D1), so that the central processing unit can receive information from user terminals, and can also send information to user terminals via the server; the processing unit can execute command and program, thus enabling the server to execute its main functions (see from line 22 on page 4 to line 19 on page 5 of the Specification of D1, and its Fig. 1). A comparison between claim 11 and D1 shows their differences to be lying therein: the program run by the central processing unit described in claim 11 is different from that run by D1, and the information transmitted between the central processing unit and the users in claim 11 is different from that of D1. However, the programs run by processing unit and the information transmitted between the processing unit and the users are those specific parts which can be artificially prescribed; these distinguishing features setting claim 11 apart from D1 do not help to argue that the system mentioned of in the present claim 11 possesses prominent substantive feature over the prior art. Therefore, the technical solution for which protection is sought in claim 11 does not conform to the provisions of Article 22, paragraph 3 of the Chinese Patent Law in terms of inventiveness.

11. The additional technical feature of claim 12 is that: further comprising a memory data base connected to the central processing unit; but this additional technical feature has already been disclosed in D1 (referral signs 110, 112 and 114 in D1), with the two differing only in the data stored

in the memory. However, the data stored in the memory is that specific part which can be artificially prescribed; the difference in the data stored in the memory does not help to argue that the system mentioned of in the present claim 12 possesses prominent substantive feature over the prior art. Therefore, the technical solution for which protection is sought in claim 12 does not conform to the provisions of Article 22, paragraph 3 of the Chinese Patent Law in terms of inventiveness.

12. Claim 13 claims a method for analyzing legal reasoning for deriving a final law. This method itself rests with the subjective thinking of human beings and artificial rules with a nature of being prescribed, and it does not adopt technical means or utilize law of natural, thereby not constituting a technical solution as prescribed under the Patent Law, and thus belonging to rules and methods for mental activities, against which no patent right can be granted under the provisions of Article 25, paragraph 1, item (2) of the Chinese Patent Law.
13. Claim 14 is a further particularization of the reasoning method described in claim 13; it is in essence a method of legal reasoning particularizing the process. Because of the same reasons as commented on claim 13 whereby no patent right can be granted to method of legal reasoning, this claim can neither be granted.

In view of the reasons enumerated above, the present application can not be granted a patent right as of now. At the same time, nothing else of substantial contents is recorded in the Description; therefore, even if the applicant makes further definition to the claims based on the present Description, this application doesn't have a prospect to be granted. If the applicant could not, within the time limit of four months as specified in this Office Action, lodge convincing reasons to the rebuttal of the circumstances for rejection stipulated under Rule 53 of the Implementing Regulations of the Chinese Patent Law, the present application would be rejected under the provisions of Article 38 of the Chinese Patent Law.

邮政编码：100088 北京市海淀区北三环中路40号 北京三友知识产权代理有限公司 李辉	发文日期
申请号：021186189	
申请人：高桥恒文	
发明创造名称：法律推理分析方法和装置	

第一次审查意见通知书

1. ☑应申请人提出的实审请求，根据专利法第35条第1款的规定，国家知识产权局对上述发明专利申请进行实质审查。
   ☐根据专利法第35条第2款的规定，国家知识产权局决定自行对上述发明专利申请进行审查。
2. ☑申请人要求以其在：
   JP 专利局的申请日 2001年05月07日为优先权日，
   专利局的申请日 年 月 日为优先权日，
   专利局的申请日 年 月 日为优先权日，
   专利局的申请日 年 月 日为优先权日，
   专利局的申请日 年 月 日为优先权日。
   ☑申请人已经提交了经原申请国受理机关证明的第一次提出的在先申请文件的副本。
   ☐申请人尚未提交经原申请国受理机关证明的第一次提出的在先申请文件的副本，根据专利法第30条的规定视为未提出优先权要求。
3. ☐申请人于 年 月 日和 年 月 日提交了修改文件。
   经审查，申请人于： 年 月 日提交的 不符合实施细则第51条的规定；
   年 月 日提交的 不符合专利法第33条的规定；
4. 审查针对的申请文件：
   ☑原始申请文件。 ☐审查是针对下述申请文件的
   申请日提交的原始申请文件的权利要求第 项、说明书第 页、附图第 页；
   年 月 日提交的权利要求第 项、说明书第 页、附图第 页；
   年 月 日提交的权利要求第 项、说明书第 页、附图第 页；
   年 月 日提交的权利要求第 项、说明书第 页、附图第 页；
   年 月 日提交的说明书摘要， 年 月 日提交的摘要附图。
5. ☐本通知书是在未进行检索的情况下作出的。
   ☑本通知书是在进行了检索的情况下作出的。
   ☑本通知书引用下述对比文献（其编号在今后的审查过程中继续沿用）：

编号	文件号或名称	公开日期（或抵触申请的申请日）
1	WO0122195A2	2001.3.29

6. 审查的结论性意见：
   ☐关于说明书：
   ☐申请的内容属于专利法第5条规定的不授予专利权的范围。
   ☐说明书不符合专利法第26条第3款的规定。

☐说明书不符合专利法第 33 条的规定。
☐说明书的撰写不符合实施细则第 18 条的规定。
☑关于权利要求书：
☐权利要求_____不具备专利法第 22 条第 2 款规定的新颖性。
☑权利要求 11-12 不具备专利法第 22 条第 3 款规定的创造性。
☐权利要求_____不具备专利法第 22 条第 4 款规定的实用性。
☑权利要求1-7、13-14属于专利法第 25 条规定的不授予专利权的范围。
☐权利要求_____不符合专利法第 26 条第 4 款的规定。
☐权利要求_____不符合专利法第 31 条第 1 款的规定。
☐权利要求_____不符合专利法第 33 条的规定。
☐权利要求_____不符合专利法实施细则第 2 条第 1 款关于发明的定义。
☐权利要求_____不符合专利法实施细则第 13 条第 1 款的规定。
☑权利要求 8-10 不符合专利法实施细则第 20 条的规定。
☐权利要求_____不符合专利法实施细则第 21 条的规定。
☐权利要求_____不符合专利法实施细则第 22 条的规定。
☐权利要求_____不符合专利法实施细则第 23 条的规定。

上述结论性意见的具体分析见本通知书的正文部分。

7. 基于上述结论性意见，审查员认为：
☐申请人应按照通知书正文部分提出的要求，对申请文件进行修改。
☐申请人应在意见陈述书中论述其专利申请可以被授予专利权的理由，并对通知书正文部分中指出的不符合规定之处进行修改，否则将不能授予专利权。
☑专利申请中没有可以被授予专利权的实质性内容，如果申请人没有陈述理由或者陈述理由不充分，其申请将被驳回。
☐_____

8. 申请人应注意下述事项：
(1)根据专利法第 37 条的规定，申请人应在收到本通知书之日起的肆个月内陈述意见，如果申请人无正当理由逾期不答复，其申请将被视为撤回。
(2)申请人对其申请的修改应符合专利法第 33 条的规定，修改文本应一式两份，其格式应符合审查指南的有关规定。
(3)申请人的意见陈述书和/或修改文本应邮寄或递交国家知识产权局专利局受理处，凡未邮寄或递交给受理处的文件不具备法律效力。
(4)未经预约，申请人和/或代理人不得前来国家知识产权局专利局与审查员举行会晤。

9. 本通知书正文部分共有 4 页，并附有下述附件：
☑引用的对比文件的复印件共 1 份 30 页。☐_____

审查员：徐春
2004 年 2 月 27 日

审查部门 审查协作中心

回函请寄：100088 北京市海淀区蓟门桥西土城路 6 号 国家知识产权局专利局受理处收
（注：凡寄给审查员个人的信函不具有法律效力）

第一次审查意见通知书正文

如说明书所述，本申请涉及一种法律推理分析方法和装置。经审查，现提出如下审查意见。

1. 权利要求 1 请求保护一种用于分析用于确定一个法规的法律推理的方法，该方法包括经过一个计算机网络呈递法规的立法目的；确定对应于立法目的的初始法规；经过计算机网络呈递潜在地妨碍立法目的的不适合初始法规的初始设想和通过修改初始法规以消除不适合初始法规的初始设想造成的潜在障碍来确定一个第二法规。说明书中记载的是用于分析导出一个最终法规的法律推理的方法，该方法通过确定立法目的，确定对应于立法目的的初始法规，呈递潜在妨碍立法目的的初始设想，修改初始法规以消除初始设想造成的潜在妨碍来实现分析导出一个最终法规。权利要求 1 虽然提到用计算机网络来呈递法规的立法目的和呈递潜在妨碍立法目的的初始设想，但用计算机网络传递信息是本领域技术人员常规设计。权利要求 1 所述法律推理方法实质上是一个在通过网络传递信息来确定立法目的和初始设想的基础上，指导人们对信息进行思维、识别、判断和推理用以确定法规的规则和方法，而不是一种利用自然法则的技术方案。它对现有技术的贡献仅仅在于属于智力活动的规则和方法的部分，因此权利要求 1 所述法律推理方法属于专利法第二十五条第一款第二项所规定的智力活动的规则和方法，因此不能被授予专利权。

2. 权利要求 2 的附加技术特征虽然提到用计算机网络呈递第二法规，但用计算机网络传递信息是本领域技术人员常规设计，它实质上只是用网络来呈递推理结果的法律推理方法，而不是一种利用自然法则的技术方案。它对现有技术的贡献仅仅在于属于智力活动的规则和方法的部分，同前理由，权利要求 2 也不能被授予专利权。

3. 权利要求 3 的附加技术特征对呈递不适合设想作了进一步限定，除“多个参与者可以接入计算机网络”外，其他技术特征都是对确定不适合设想的程序作具体叙述，而“多个参与者可以接入计算机网络”是本领域技术人员常规设计，因此权利要求 3 实质上是进一步细化分析推理程序的法律推理方法，而不是一种利用自然法则的技术方案。它对现有技术的贡献仅仅在于属于智力活

动的规则和方法的部分，同前理由，权利要求 3 也不能被授予专利权。

4. 权利要求 4 的附加技术特征是本领域技术人员常规设计，基于和权利要求 3 所述的分析法律推理方法不能授予专利权的同样理由，权利要求 4 也不能被授予专利权。

5.权利要求 5 对权利要求 1 所述的推理方法进一步细化，实质上是进一步细化分析推理程序的法律推理方法，而不是一种利用自然法则的技术方案。它对现有技术的贡献仅仅在于属于智力活动的规则和方法的部分，同前理由，权利要求 5 也不能被授予专利权。

6. 权利要求 6 请求保护一种用于建立描述用于确定法规的法律推理的法律映像的方法，该方法实质上是用于确定法规的法律推理方法和用三角形单元对推理方法的表示，它本身只取决于人的主观意念或者人为的规定，含有约定俗成的特性，没有采用技术手段或利用自然法则，不是专利法意义下所指的技术方案，而是属于专利法第二十五条第一款第二项所规定的智力活动的规则和方法，因此不能被授予专利权。

7. 权利要求 7 的附加技术特征对权利要求 6 所述的法律映像方法作进一步的细化，实质上是进一步细化程序的法律映像方法。基于和权利要求 6 所述的法律映像方法不能授予专利权的同样理由，权利要求 7 也不能被授予专利权。

8. 权利要求 8 请求保护一种用于存储一个使得能够进行法律推理分析以导出一个有关一个目的的法规的计算机程序的计算机可读介质，属于产品权利要求，应该用产品的结构特征进行限定。但该权利要求仅仅用其上记录的数据结构对计算机可读介质进行限定，导致该权利要求保护范围不清楚，不符合专利法实施细则第二十条第一款的规定。

9. 权利要求 9、10 对权利要求 8 所述计算机可读介质上记录的数据结构作了进一步限定。它们均是请求保护一种计算机可读介质，属于产品权利要求，应该用产品的结构特征进行限定。但该权利要求仅仅用其上记录的数据结构对计算机可读介质进行限定，导致该权利要求保护范围不清楚，不符合专利法实施细则第二十条第一款的规定。

10. 权利要求 11 请求保护一种用于分析用于确定一个法规的法律推理的系统，与本发明相同技术领域的对比文件 1 公开了一种客户与服务器之间的联接系统，并具体公开了以下技术特征：系统的中央处理单元（对比文件 1 附图标

记 116）连接到服务器（对比文件 1 附图标记 106），多个用户终端（对比文件 1 附图标记 109）经过分组交换数据网络（对比文件 1 附图标记 102）接入服务器，从而中央处理单元可以接收用户终端的信息，也可经过服务器向用户终端发送信息，处理单元可执行指令和程序，以使服务器执行它的主要功能（见对比文件 1 说明书第 4 页第 22 行至第 5 页第 19 行，说明书附图 1）。权利要求 11 与对比文件 1 相比，其区别在于：权利要求 11 所述系统中的中央处理单元所运行的程序与对比文件 1 不同，中央处理单元与用户间传送的信息与对比文件 1 不同。处理单元所运行的程序和处理单元与用户间所传送的信息都是人为具体规定的部分，因此权利要求 11 与对比文件 1 的区别特征无助于权利要求 11 所述系统相对于现有技术具有突出的实质性特点，因此权利要求 11 所要求保护的技术方案不符合专利法第二十二条第三款有关创造性的规定。

11. 权利要求 12 的附加技术特征是系统还包括连接到中央处理单元的存储器数据库，该附加技术特征已被对比文件 1 公开（对比文件 1 附图标记 110、112 和 114），只是存储器中存储的数据不同。存储器中所存储的数据是人为具体规定的部分，因此存储器中所存储的数据不同无助于权利要求 12 所述系统相对于现有技术具有突出的实质性特点，因此权利要求 12 所要求保护的技术方案不符合专利法第二十二条第三款有关创造性的规定。

12. 权利要求 13 请求保护一个用于分析用于导出一个最终法规的法律推理的方法，该方法本身只取决于人的主观意念或者人为的规定，含有约定俗成的特性，没有采用技术手段或利用自然法则，不是专利法意义下所指的技术方案，而是属于专利法第二十五条第一款第二项所规定的智力活动的规则和方法，因此不能被授予专利权。

13. 权利要求 14 对权利要求 13 所述的推理方法进一步细化，实质上是进一步细化程序的法律推理方法。基于和权利要求 13 所述的法律推理方法不能授予专利权的同样理由，权利要求 14 也不能被授予专利权。

基于上述理由，本申请的权利要求不能被授予专利权，同时说明书中也没有记载其它任何可以授予专利权的实质性内容，因而即使申请人对权利要求根据说明书记载的内容作进一步的限定，本申请也不具备被授予专利权的前景，如果申请人在本通知书指定的四个月答复期限内没有提出有说服力的反对理由，仍然存在专利法实施细则第五十三条所指出的应当予以驳回的情形，根据

专利法第三十八条，本申请将被驳回。